

Article - Public Safety

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§13A–1057.

(a) (1) In this section the following words have the meanings indicated.

(2) “Covered individual or organization” means a recipient of a communication specified in clauses (i) through (v) of 10 U.S.C. 1034(b)(1)(b).

(3) “Inspector General” has the meaning stated in 10 U.S.C. 1034(j).

(4) “Protected communication” means:

(i) a lawful communication to a Member of Congress or an Inspector General; or

(ii) a communication to a covered individual or organization in which a member of the armed forces complains of, or discloses information that the member reasonably believes constitutes evidence of:

1. a violation of law or regulation, including a law or regulation prohibiting sexual harassment or unlawful discrimination; or

2. gross mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety.

(b) A person subject to this title shall be punished as a court–martial may direct if, with the intent to retaliate against a person for reporting or planning to report a criminal offense, or making or planning to make a protected communication, or with the intent to discourage a person from reporting a criminal offense or making or planning to make a protected communication, the person:

(1) wrongfully takes or threatens to take an adverse personnel action against a person; or

(2) wrongfully withholds or threatens to withhold a favorable personnel action with respect to a person.

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